**Regional-State Senior Level Dialogue**

Using State Narrative Criteria/Designated Uses to Identify Impairments and Write TMDLs/Permits for Nutrient Pollution in States without NNC

**Lead-in Talking points:**

Reducing nutrient pollution is one of the most important challenges we face as water quality managers.

EPA's strong preference is to support states as they take the lead for efforts to manage this serious problem.

Given the damage that nutrient pollution is causing to many waters, it's critical that we make strong progress now.

While a number of states are still developing numeric standards for nutrient pollution, all states have narrative criteria and/or designated uses that can be used to make progress now.

(For example, the September 2013, Integrated Reporting Guidance for the 2014 303(d) listing cycle shows how a number of states -- Delaware, Iowa, Montana ,New Mexico, Oregon, and Vermont -- use narrative criteria to identify waters impaired by nutrient pollution . See http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/2014-memo.cfm )

The purpose of these questions is to better understand how your state uses narrative criteria or designated uses to make progress and open a conversation about opportunities for making more near-term progress. I would also like to discuss how EPA might help you.

**Questions:**

- Does your State have narrative water quality standards that address implicitly or explicitly the impacts of excess nutrient pollution? What are they and what endpoints do they cover? (citations)

- Does your State have assessment methods to identify waters impaired by nutrient pollution using narrative criteria and/or designated uses? Has your State listed waters for nutrients using your narrative standards? Which waterbody types?

- Has your State issued TMDLs for nutrient pollution based on applicable narratives? If so, what approach was used to set endpoints (e.g., N or P target concentrations) for the TMDL allocations?

- Does your State use its narrative water quality standards to determine the need for nutrient limits in NPDES permits?

- If so, how does the state determine what the limits should be? Water quality-based or technology-based? [If technology-based: what basis -- state requirements?]

- If not, is the state incorporating monitoring requirements for nutrient pollution in permits?

- When your State incorporates WQBELs for nutrients into permits, do you use any of the following to provide implementation flexibility:

  - Variances?

  - Compliance schedules?

  - Staged implementation of TMDLs?

  [If the answer is no: do you plan to use these flexibilities? What's your schedule for adopting/using them?]